

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-00666-DLF**

NOVA OCULUS PARTNERS, LLC et al v. UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

Assigned to: Judge Dabney L. Friedrich

Cases: 1:19-cv-02700-DLF

1:19-cv-02950-DLF

Cause: 05:552 Freedom of Information Act

Date Filed: 03/08/2019

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

NOVA OCULUS PARTNERS, LLC

formerly known as

EYE MACHINE, LLC

represented by **Lisa Norrett Himes**
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ATTORNEY TO BE NOTICED

Plaintiff

PETER POCKLINGTON

represented by **Lisa Norrett Himes**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

LANTSON E. ELDRED

represented by **Lisa Norrett Himes**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

AMC HOLDINGS CO., LLC

represented by **Lisa Norrett Himes**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES SECURITIES AND
EXCHANGE COMMISSION**

represented by **Carin Marie Cozza**
**U.S. SECURITIES AND EXCHANGE
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| Date Filed | # | Docket Text |
|------------|----------|---|
| 03/08/2019 | <u>1</u> | COMPLAINT against UNITED STATES SECURITIES AND EXCHANGE COMMISSION (Filing fee \$ 400 receipt number 0090-5991383) filed by NOVA OCULUS PARTNERS, LLC, f/k/a THE EYE MACHINE, LLC, AMC HOLDINGS CO., LLC, LANTSON E. ELDRED, PETER POCKLINGTON. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit)(Himes, Lisa) (Attachment 1 replaced on 3/11/2019) (zef,). (Entered: 03/08/2019) |
| 03/11/2019 | | Case Assigned to Judge Dabney L. Friedrich. (zef,) (Entered: 03/11/2019) |
| 03/11/2019 | <u>2</u> | SUMMONS (3) Issued Electronically as to UNITED STATES SECURITIES AND EXCHANGE COMMISSION, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 03/11/2019) |
| 03/15/2019 | <u>3</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/14/2019. Answer due for ALL FEDERAL DEFENDANTS by 4/13/2019. (Himes, Lisa) (Entered: 03/15/2019) |
| 03/15/2019 | <u>4</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 3/14/2019. (Himes, Lisa) (Entered: 03/15/2019) |
| 03/15/2019 | <u>5</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES SECURITIES AND EXCHANGE COMMISSION served on 3/14/2019 (Himes, Lisa) (Entered: 03/15/2019) |
| 04/12/2019 | <u>6</u> | NOTICE of Appearance by Melinda Hardy on behalf of UNITED STATES SECURITIES AND EXCHANGE COMMISSION (Hardy, Melinda) (Entered: 04/12/2019) |
| 04/12/2019 | <u>7</u> | ANSWER to Complaint by UNITED STATES SECURITIES AND EXCHANGE COMMISSION.(Hardy, Melinda) (Entered: 04/12/2019) |
| 04/15/2019 | | MINUTE ORDER requiring the parties to MEET AND CONFER and file a joint status report proposing a schedule for further proceedings. The status report should address the status of the plaintiff's FOIA request, including the anticipated number of documents responsive to the request and the anticipated date(s) for release of the requested documents. The parties shall file the joint status report on or before April 26, 2019. Signed by Judge Dabney L. Friedrich on April 15, 2019. (lcdlf3) (Entered: 04/15/2019) |
| 04/15/2019 | | Set/Reset Deadlines/Hearings: Joint Status Report due by 4/26/2019. (zcdw) (Entered: 04/16/2019) |
| 04/26/2019 | <u>8</u> | NOTICE of Appearance by Carin Marie Cozza on behalf of All Defendants (Cozza, Carin) (Entered: 04/26/2019) |
| 04/26/2019 | <u>9</u> | Joint STATUS REPORT and Proposed Order by AMC HOLDINGS CO., LLC, LANTSON E. ELDRED, NOVA OCULUS PARTNERS, LLC, PETER POCKLINGTON. (Attachments: # <u>1</u> Text of Proposed Order)(Himes, Lisa) (Entered: 04/26/2019) |
| 04/29/2019 | | MINUTE ORDER. In light of the parties' <u>9</u> Joint Status Report, it is ORDERED that the SEC shall produce all non-exempt, responsive documents in rolling productions on or before May 29, 2019, July 1, 2019, and July 31, 2019. The productions shall follow the order of production set forth in the parties joint report. On or before August |

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| | | 15, 2019, the parties shall file a joint status report that proposes a schedule for further proceedings, including a summary judgment briefing, if necessary. Signed by Judge Dabney L. Friedrich on April 29, 2019. (lcldf3) (Entered: 04/29/2019) |
| 04/29/2019 | | Set/Reset Deadlines: Joint Status Report due by 8/15/2019. (mac) (Entered: 04/29/2019) |
| 05/08/2019 | <u>10</u> | LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by <i>AMC Holdings Co., LLC</i> and by NOVA OCULUS PARTNERS, LLC (Himes, Lisa) (Entered: 05/08/2019) |
| 07/24/2019 | <u>11</u> | Joint STATUS REPORT by AMC HOLDINGS CO., LLC, LANTSON E. ELDRED, NOVA OCULUS PARTNERS, LLC, PETER POCKLINGTON. (Attachments: # <u>1</u> Text of Proposed Order)(Himes, Lisa) (Entered: 07/24/2019) |
| 07/25/2019 | | MINUTE ORDER. In light of the parties' <u>11</u> Joint Status Report, the Court adopts the parties' jointly proposed briefing schedule. The defendant shall file its motion for summary judgment on or before September 13, 2019; the plaintiff shall file its opposition and any cross-motion for summary judgment on or before October 4, 2019; the defendant shall file any reply and cross-opposition on or before October 25, 2019; and the plaintiff shall file any reply on or before November 6, 2019. Signed by Judge Dabney L. Friedrich on July 25, 2019. (lcldf3) (Entered: 07/25/2019) |
| 07/25/2019 | | Set/Reset Deadlines: Summary Judgment motion due by 9/13/2019. Response to Motion for Summary Judgment and Cross Motion due by 10/4/2019. Reply to Motion for Summary Judgment and Response to Cross Motion due by 10/25/2019. Reply to Cross Motion due by 11/6/2019. (kh) (Entered: 07/25/2019) |
| 09/13/2019 | <u>12</u> | MOTION for Summary Judgment by UNITED STATES SECURITIES AND EXCHANGE COMMISSION (Cozza, Carin) (Entered: 09/13/2019) |
| 09/13/2019 | <u>13</u> | MEMORANDUM re <u>12</u> MOTION for Summary Judgment filed by UNITED STATES SECURITIES AND EXCHANGE COMMISSION by UNITED STATES SECURITIES AND EXCHANGE COMMISSION. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration Declaration of Carin Cozza, # <u>3</u> Exhibit Exhibit A to Declaration-Vaughn Index, # <u>4</u> Exhibit Exhibit B to Declaration-Formal Order)(Cozza, Carin) (Entered: 09/13/2019) |
| 10/04/2019 | <u>14</u> | Cross MOTION for Summary Judgment by AMC HOLDINGS CO., LLC, LANTSON E. ELDRED, NOVA OCULUS PARTNERS, LLC, PETER POCKLINGTON (Attachments: # <u>1</u> Declaration of Becky James, # <u>2</u> Declaration of Walter O'Rourke, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3, # <u>6</u> Exhibit 4, # <u>7</u> Text of Proposed Order)(jf) (Entered: 10/07/2019) |
| 10/04/2019 | <u>15</u> | Memorandum in opposition to re <u>12</u> MOTION for Summary Judgment filed by AMC HOLDINGS CO., LLC, LANTSON E. ELDRED, NOVA OCULUS PARTNERS, LLC, PETER POCKLINGTON. (See Docket Entry <u>14</u> to view documents) (jf) (Entered: 10/07/2019) |
| 10/25/2019 | <u>16</u> | REPLY to opposition to motion re <u>14</u> MOTION for Summary Judgment, <u>12</u> MOTION for Summary Judgment filed by UNITED STATES SECURITIES AND EXCHANGE COMMISSION. (Attachments: # <u>1</u> Statement of Facts Counter Statement of Facts)(Hardy, Melinda) (Entered: 10/25/2019) |